

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 7703

BILL NUMBER: SB 461

DATE PREPARED: Jan 8, 1999

BILL AMENDED:

SUBJECT: Dismissal of Teachers from Extracurricular Duties.

FISCAL ANALYST: David Hoppmann

PHONE NUMBER: 232-9559

FUNDS AFFECTED: **GENERAL
DEDICATED
FEDERAL**

IMPACT: Local

Summary of Legislation: This bill would provide procedures, including a hearing, that the governing body of a school corporation (governing body) must follow in order to dismiss a semi-permanent or permanent teacher from an extracurricular assignment, including coaching duties. It would require a governing body to adopt dismissal guidelines.

Effective Date: July 1, 1999.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures: Under current Indiana law, governing bodies are not required to adopt dismissal guidelines for semi-permanent or permanent teachers from extracurricular assignments. This bill would require that governing bodies adopt dismissal guidelines which include but are not limited to the following reasons for dismissal: 1) immorality; 2) insubordination; 3) neglect of duty; 4) incompetency; 5) conviction of certain crimes such as rape, criminal deviate conduct, and child molestation; and 6) other good and just cause including the best interest of the school corporation.

This bill would allow a governing body (pending a decision on dismissal of a teacher) to suspend a teacher from the extracurricular activity in question. However, this bill would prohibit a governing body from withholding salary payments or other employment related benefits from the suspended teacher.

This bill would require governing bodies to follow certain procedures in order to dismiss a teacher from extracurricular assignments. The procedures are as follows: 1) teacher notification of dismissal action and written statement of reasons for dismissal; 2) ability of teacher to request a hearing; 3) teacher notification of hearing location; 4) teacher entitlement to certain opportunities at the hearing; 5) the possible subpoena

of witnesses at the hearing; 6) recommendation for dismissal by superintendent; and 7) vote by the governing body on teacher dismissal (the decision of the governing body would be final).

This bill would allow a teacher, who was dismissed in violation of the adopted guidelines, to bring legal action against the governing body.

School corporations would experience minimal administrative costs and time regarding the required adoption of dismissal guidelines in accordance with the bill. However, the overall effects regarding hearing costs and potential actions against the governing body would vary from school corporation to school corporation.

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected: School Corporations.

Information Sources: Kevin McDowell, Department of Education, (317) 232-6647.